



**SHREWSBURY CONSERVATION COMMISSION  
SHREWSBURY, MASSACHUSETTS**

**MINUTES**

Regular Meeting: May 11, 2004 - 7:00 P.M.

Location: Selectmen's Hearing Room - Municipal Office Building

**Present:** John J. Ostrosky, Chairman  
Robert P. Jacques, Vice-Chairman  
Dorbert A. Thomas, Clerk  
Kenneth F. Polito

**Also Present:** John D. Perreault, Town Engineer  
Brad Stone, Agent

**Absent:** Patricia M. Banks

Mr. Ostrosky opened the meeting at 7:00 P.M.

**1. Review and Approve Minutes**

The Conservation Commission approved the Minutes of April 20, 2004 as submitted, with Mrs. Thomas abstaining, as she wasn't at the meeting.

**2. Signed bills.**

**3. Meetings and Hearings – 7:05 P.M.**

**285-1248 Continued – Public Hearing regarding the Notice of Intent filed by Sage Investors, Inc. for the construction of a commercial building and parking lot at 360 Hartford Turnpike**

There were no representatives for Sage Investors, Inc. Mr. Ostrosky continued the hearing to June 15, 2004, at 7:05 P.M.

**285-\*\*\*\* Continued – Public Hearing regarding the Notice of Intent filed by Al Etre for the construction of fields at 315-347 Main Street**

Attending the hearing were Al Etre – the applicant, and Joanne Teachout – the engineer from Boulay Brothers.

Mr. Etre said St. John's wants to do two new fields for shot put and javelin, and to bring the fields to competition level. Mr. Ostrosky noted that almost the whole shot-put field is within the buffer and only a small part of the javelin is within the buffer.

Ms. Teachout discussed the flood zone study done by the engineering firm of Summit Ridge Subdivision. She said they agreed with the 440 elevation level. She also noted that St. John's work is below this elevation.

Mr. Stone and the Commission expressed favorability to this project, stating that if there will be improvement to the Inner Riparian Zone, then it would be an acceptable project.

Fred Johnson, 2 Lenox Drive, expressed concern about how it will impact their complex. Mr. Etre and Ms. Teachout showed the area of the work.

Mr. Jacques said he would like to see a mitigation plan. Ms. Teachout and Mr. Etre requested a continuance to gather more information for the Commission.

Mr. Ostrosky continued the hearing to June 15, 2004.

**285-\*\*\*\* Continued – Public Hearing regarding the Notice of Intent filed by Pescara Distributors for the construction of a culvert at Roberts Street**

Attending the hearing was John Grenier – the engineer from J.M. Grenier Associates, Inc. Mr. Grenier said the culvert is collapsing. He said Mr. Pescara is proposing to replace with a pre-cast structure for a new culvert at his own expense.

Mr. Grenier provided hydraulic calculations. He said as far as the timing of the work, he said he didn't think it would be hard to find a dry spell to do the work.

Mr. Stone said he had concerns about the hydraulic calculations and handling calculations. He said he hasn't seen a plan to show the proposed culvert will fit in the road. He said there is concern that they could go out there and have a problem running into utilities and with the cars passing, etc.

Mr. Jacques asked if it was the same depth, and Mr. Grenier said it was.

Mr. Polito said he agreed with the Commission that they should see a plan that the culvert will fit in the road.

Mr. Grenier said they feel they could handle a lot of the issues out in the field.

Mr. Ostrosky continued the hearing to June 15, 2004.

**285-\*\*\*\* Continued – Public Hearing regarding the Notice of Intent filed by Trillium Investment Corporation for the construction of a single family home at Lot 6 Turtle Creek Circle**

Attending the hearing was John Grenier – the engineer from J.M. Grenier Associates, Inc.

Mr. Grenier said he had the ability to pull the location of the house and pool, and the grading work, so all disturbance is out of the outer riparian zone. He said the sewer service will be within the outer riparian zone, as it is going to be a cross-country sewer line.

Mr. Ostrosky officially closed the hearing.

**285-\*\*\*\* Public Hearing regarding the Notice of Intent filed by the Town of Shrewsbury for the construction of a water fountain at 805 Main Street, Dean Park**

Attending the hearing was Barbara Donahue, 100 Oak Street, and Michael Hale, the Assistant Town Manager. Mr. Hale said a committee was formed to look at this project, as a memorial to Mr. Irving Donahue. He noted that Mr. Donahue has done a lot for the town, and Mrs. Donahue has an interest in doing this fountain. He said she also plans to maintain it.

Mr. Hale said it will be made up of five fountains, which will have aeration devices. He said it will run seasonal from May to October. He said they will be lighted.

Mr. Perreault said he needs to talk to the Light Department regarding installation of power, but felt it would be best if power came off of School Street. Mr. Hale proposed putting haybales along the pond at the School Street side for the digging for utilities.

The Commission expressed support for this project. Mr. Ostrosky officially closed the hearing.

**285-\*\*\*\* Public Hearing regarding the Notice of Intent filed by Rodney Lequillo for the replacement of a septic system at 51 Shirley Road**

Attending the hearing was Robert Murphy, the engineer. Mr. Murphy said this is for repair of a septic system. He said no work is proposed within 50-60 feet of the wetland area, but there will be work within the buffer zone.

Mr. Murphy said they encountered no groundwater at 12 feet, and there should be no break out. He said the plan was approved by the Board of Health. He said they propose to put haybale line along top of work. He said they will bring in loam and seed.

Mr. Ostrosky officially closed the hearing.

**285-\*\*\*\* Public Hearing regarding the Notice of Intent filed by David Donahue for the construction of a single family home at 20 Stone Meadow Drive**

Attending the hearing was David Donahue. He said he wants to build a single family home. He said the stonewall was constructed back in 1995-1996 to mark wetland flags. He said the wall is actually placed in front of the wetland flagging. Mr. Jacques said haybales should also be placed at western slope.

Mr. Ostrosky officially closed the hearing.

**285-\*\*\*\* Public Hearing regarding the Notice of Intent filed by Christopher Walsh has filed a Notice of Intent for the demolition of an existing house and construction of a new house at 94 Boylston Circle**

Attending the hearing was Christopher Walsh – the homeowner, and Bob Luccia – the engineer. Mr. Luccia said this filing is for the demolition of the existing and construction of a new house, along with a deck and a pool.

Mr. Luccia said the house is 25 feet away from the wetland line. He said currently the decks are almost on the wetland line. He said haybales and silt fence will be used. He said the entire site is within the buffer.

Mrs. Thomas noted that the Commission is looking for a 30 foot buffer to the wetland area. Mr. Walsh said they up against the setback by one foot. Mr. Luccia said one positive aspect is they are pulling back the decks and pool and creating more vegetated area.

Mr. Ostrosky officially closed the hearing.

**285-`\*\*\*\* Public Hearing regarding the Notice of Intent filed by the Division of Capital Asset Management Commonwealth of Massachusetts for the grading and capping of a disposal area at 55 Green Street**

Attending the hearing was Mark Roberts – P.C.M., Diane Walden – wetland engineer, and Michael Talbot – OTO for DCAM and designed cap for the area. Mr. Roberts said as a result of the hospital closing, the DCAM gets involved with the property.

Mr. Roberts said there will be temporary disturbances of the wetland area. Ms. Walden said the area in question is an intermittent stream. She said they will have to do a temporary disturbance. She said they will use swamp mats and rubber-wheeled vehicle. She said there is a planting plan in place if it is needed.

Mr. Talbot said the first step will be to hand-pick any debris out of area. He said they will be planting grass over the top. He stated they will use a drainage net to stop any erosion.

Mr. Perreault asked who would be out there watching over the project. Mr. Roberts said the three of them and a State Engineer.

Mr. Stone said he would like reports and copies of anything sent to State be copied to the Conservation Commission.

Mr. Jacques expressed the following concerns:

- 1) the whole procedures of doing the project;
- 2) concern for the slope;
- 3) wants supervisory staffing out there.

Mr. Ostrosky officially closed the hearing.

***(Note: The Commission initially conditionally approved the Order of Conditions at this meeting, but met again on Tuesday, June 1, 2004, at 8:00 a.m., and voted to rescind their decision, and voted to deny the project.)***

**285-\*\*\*\* Public Hearing regarding the Notice of Intent filed by Joseph Palomba for the construction of a swimming pool at 15 Kalamat Farms Circle**

Attending the hearing were Joseph Palomba – the homeowner, and JoAnn Teachout – the engineer from Bouley Brothers.

Ms. Teachout said there is a vegetated wetland easterly of the property. She said Mr. Palomba wants to construct a pool, deck, and replace a fence that has deteriorated.

Mr. Ostrosky officially closed the hearing.

**285-\*\*\*\* Public Hearing regarding the Notice of Intent filed by J.J. Farrell, Inc. for the construction of a retirement condominium community at 2 Orchard Meadow Drive**

Attending the hearing were Joe Farrell – the developer, Fran Zarette – the engineer, and Steven Garvin and Jeremy Marsette from Samiotes Consultants.

Mr. Farrell said they are refileing the Notice of Intent because the time had lapsed on the original Order of Conditions.

Mr. Garvin said also an administrative order was issued and they are looking for a new Order of Conditions. He said a majority of the site is complete. Mr. Farrell reviewed the status of each of the phases of the project.

Mr. Garvin stated that since the April storm, Mr. Farrell has had all drainage systems cleaned out.

Mr. Marsette said reviewed the drainage system.

Mr. Marsette said he was on site with Mr. Stone. He said they have put additional measures above and beyond original filing. He said they are using a tackifier system in some areas.

Mr. Jacques wanted to be sure that this presentation that they just gave, was actually spelled out somewhere. Mr. Garvin showed where it was explained.

Mr. Ostrosky officially closed the hearing.

**285-\*\*\*\* Public Hearing regarding the Notice of Intent filed by Angelo Skritakis for the construction of a single family home at Lot 4 Turtle Creek Circle**

Attending the hearing were Angelo Skritakis – the homeowner, and John Grenier – the engineer from J.M. Grenier Associates, Inc.

Mr. Grenier said he submitted new plans to meet the Riverfront requirement. He said they will use full erosion control around the limit of the work. He said they will also install bounds to mark the wetland area.

The Commission expressed concerns about the closeness to the wetland and the fact that it is actually a resource area. Mr. Perreault noted that the problem is not the current homeowner, but future ones.

Mr. Ostrosky officially closed the hearing.

**285-1200      Public Hearing regarding the request for Amended Order of Conditions filed by Tara and Kevin Lynch for the construction of a swimming pool at 80 Main Circle**

Attending the hearing were Tara and Kevin Lynch – the homeowners. They said they want to install a swimming pool within the limits of original allowed disturbed area. He said this is a request for an amended Order of Conditions.

Mr. Ostrosky officially closed the hearing.

**285-1241      Public Hearing regarding the request for an Amended Order of Conditions filed by Perry Neddo for the grading of a yard area at 26 Brook Street**

Mr. Polito abstained from the hearing. Attending the hearing were Perro Neddo – the homeowner, and John Grenier – the engineer from J.M. Grenier Associates, Inc.

Mr. Grenier said this is for an Amended Order of Conditions. He said they want to extend the yard, and therefore move the haybale line back about 30 feet.

Mr. Ostrosky officially closed the hearing.

**285-\*\*\*\*      Public Hearing regarding the Notice of Intent filed by Edgar Muntz for the construction of a private school facility at 30 Floral Street**

Attending the hearing were Edgar Muntz – the property owner, and Bob Lucia – the engineer from WET Inc.

Mr. Lucia said when Mr. Muntz was constructing the daycare facility, they didn't realize they were near the wetland area. He said the building has been constructed, and noted that the property previously had a house and two barns, which have been taken down.

Mr. Lucia said there was 375 foot disturbance in the buffer area, and said the disturbance in the riverfront area is the parking area. He said the disturbance in the Riverfront area is the parking area. He said there is about 5,000 sq. ft. of work area in the Upper Riparian Zone and most of it will be paved.

The Commission listed the following concerns:

- 1) Need to verify the 5,000 sq. ft.;
- 2) Find standard for replicating an Upper Riparian Zone;
- 3) Wildlife letter (Mr. Lucia said he filed)
- 4) Show walls, driveways, etc.

Mr. Stone he is looking for the following information:

- 1) Topography showing grades, etc.
- 2) Stormwater Management information.

Mr. Muntz asked for a continuance. Mr. Ostrosky continued the hearing to June 15, 2004.

**285-\*\*\*\* Public Hearing regarding the Notice of Intent filed by Edward Drelinger for the construction of a single family house at Lot 2R Flanagan Drive**

Attending the hearing were Ed Drelinger – the developer, and Dr. Desheng Wang, 7 Hawthorne Street – the engineer. Mr. Drelinger said the Order of Conditions ran out, so they are applying for a new Order of Conditions. He said most of the activity is outside of the buffer zone. He said they are proposing to loam and seed the slope. He said they propose to put rip-rap on the slope during the work.

The Commission expressed concern that proposed corrections have yet to work, and felt nothing had been done on the site.

Ken Milley, 105 Francis Avenue, expressed the following concerns:

- 1) continued concern that the retention pond seems not to be working;
- 2) a swale is clogging up again;
- 3) there are pipes that are not being shown on the plan.

Jim Hurley, 107 Francis Avenue, expressed concern that work has not been done out there.

The Commission said the Order of Conditions will include condition that there be a timetable to watch over a year or so to be sure two systems are working.

Mr. Ostrosky officially closed the hearing.

**285-\*\*\*\* Public Hearing regarding the Notice of Intent filed by Robert Cole, Esq. for the construction of a 38 Lot Subdivision at 60 North Street**

*See hearing below for the foot bridge at 60 North Street. Both hearings were opened at the same time. Attending the hearing were Attorney Robert Cole, Attorney Joe Cariglia, and George Connors – the engineer from Connorstone Engineering.*

**285-\*\*\*\* Public Hearing regarding the Notice of Intent filed by Robert Cole, Esq. for the construction of a foot bridge to cross wetlands at 60 North Street**

Attending the hearing were Attorney Robert Cole, Attorney Joe Cariglia, and George Connors – the engineer from Connorstone Engineering. Mrs. Thomas read the disclosure letter signed by the Town Manager, regarding the Town Engineer, Jack Perreault.

Mr. Connors showed the wetland areas, which are mostly to the South. He said about 75 feet separate the two wetland areas and they have to distinct flow patterns. He said he will make the changes to the plan to reflect the comments from the Engineering letter regarding the retention ponds.

Mr. Connors said there will be just under 1600 sq. ft. of roadway in the buffer area and this is the roadway.

Mr. Connors discussed the footbridge. He said it will be built off-site and then put in place with a crane.

Mr. Connors said Phase I will basically be to install detention basins. He said each phase would be approximately a year. Attorney Cole said it would be about two years just for the infrastructure to go in.

Mr. Jacques commented that the Commission would want to limit the amount of house lots to be opened at once. He and the rest of the Commission expressed concern for house placement on lots 11, 12, 13, and the basin at Lot 11. Mr. Jacques noted to Attorney Cole that he felt the house placement should be considered now for lots 11, 12, and 13, so they're not boxed in. Attorney Cole noted this.

The Commission said they will condition the Order that the plan for the bridge be reviewed by Engineering.

Pam Empie, 107 North Street, expressed concern about the difference in wetland flags.

Henry Wood, 16 Cross Street, asked if the Engineering Department had done their own wetland flagging.

Jay Curley, 3 Lantern Lane, said they have hired EcoTech, and would like to request that they be allowed to go on-site for their own review. Attorney Cole said no.

Mr. Jacques suggested doing a site visit, but it will be open to public if a quorum. Attorney Cole said he would agree to Commission and a representative for the public of direct abutters, on property for a site walk.

Doug Waud, 17 Lantern Lane, expressed concern of water exiting the pond.

Mr. Ostrosky continued the hearing to June 15, 2004, and will schedule a site walk.

#### **4. New Business**

##### **a. Discusses/Signed Draft Order of Conditions and Request for Determination of Applicability**

<b>285-1248</b>	<b>360 Hartford Turnpike – continued</b>
<b>285-****</b>	<b>315-347 Main Street – continued</b>
<b>285-****</b>	<b>Robert Street – continued</b>
<b>285-****</b>	<b>Lot 6 Turtle Creek Circle – conditionally approved</b>
<b>285-****</b>	<b>805 Main Street – conditionally approved</b>
<b>285-****</b>	<b>51 Shirley Road – conditionally approved</b>
<b>285-****</b>	<b>20 Stone Meadow Farm Drive – conditionally approved</b>



**4. New Business (Cont'd)**

**a. Discusses/Signed Draft Order of Conditions and Request for Determination of Applicability**

- 285-\*\*\*\* 94 Boylston Circle – conditionally approved  
285-\*\*\*\* 55 Green Street – conditionally approved  
285-\*\*\*\* 15 Kalamat Farms Circle – conditionally approved  
285-\*\*\*\* 2 Orchard Meadow Drive – conditionally approved  
285-\*\*\*\* Lot 4 Turtle Creek – conditionally approved  
285-1200 80 Main Circle – conditionally approved  
285-1241 26 Brook Street – conditionally approved  
(Mr. Polito abstained from the vote)  
285-\*\*\*\* 30 Floral Street – conditionally approved  
285-\*\*\*\* Lot 2R Flanagan Drive – conditionally approved  
285-\*\*\*\* 60 North Street (Highland Hill Subdivision) – continued  
285-\*\*\*\* 60 North Street (Highland Hill Subdivision) foot bridge - continued

**5. Old Business**

**a. Discussed/Signed Certificates of Compliance**

**b. Discussed Stonybrook Farm wetlands replication, Weagle Farm Road**

Attending the discussion were Attorney Joe Jenkins and the Peters. Mr. Perreault reported to the Commission the Planning Board's decision.

Attorney Jenkins said there is an agreement with Attorney David Brown to allow him to access the Peters' property.

There was a motion, it was seconded, and unanimously voted, that the Commission accepts the decision of the Planning Board and the agreement between the Peters and Attorney Brown, and allow the Peters to move forward.

**c. Discussed/Signed Enforcement Orders**

285-1216 Shrewsbury-Grafton Connector Road  
Cherry Street

**d. Discussed/Signed Extension Permits**

285-1081 193 Gulf Street

**6. Correspondence**

The meeting adjourned at 12:15 a.m., on May 12, 2004.

Respectfully Submitted,

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*Annette W. Rebovich*